

R E M A R K S

The Office Action dated December 18, 2002 has been received and its contents carefully noted.

In view of the foregoing amendments, and following representations, reconsideration and allowance are respectfully requested.

Examiner Estrada is thanked for the early indication of allowable subject matter in claims 5-8, 14, 15, 17, and 24-35.

Reconsideration and allowance of the rejected claims is respectfully requested.

To overcome the rejection of the some of the claims as being taught by U.S. Patent No. 6,170,685 to Currier, reconsideration of the rejection and consideration of the following remarks is requested.

It is respectfully submitted that the rejection of independent claim 1 as being taught by Currier is inapt.

Currier is read by the Examiner as showing Applicant's claimed inventive features as set forth in Claim 1.

Assuming, for the sake of argument, that the Examiner may properly read the Currier back panel 12 and top and bottom panels 16 as set forth by the Examiner, then Currier still would not have anticipated applicant's particularly claimed invention.

The Examiner has argued that the Carrier "retaining clips 22" (column 4, line 7) may be read as applicant's claimed "fixture support". Applicant respectfully submits that the Examiner misreads and ignores Carrier's clearly set forth screws 20 which serve as Carrier's fixture supports, as claimed. Quite simply, as Carrier is understood, the Carrier screw 20 includes an unnumbered center-bore (Carrier Fig. 3) which screw 20 functions as a fixture support. Please see column 6, lines 30-38 of Carrier in which Carrier clearly sets forth:

The retaining screws are center-bored and tapped for accepting smaller mounting screws. The spacing of the retaining screws conforms to standard mounting dimensions of devices normally installed in such enclosures.

Please see also the last five (5) lines of the Carrier Abstract in which he emphasizes:

Retaining screws are center-bored and threaded, and spaced to accept attaching screws for standard size devices installed on the box, thereby providing both structure support and a convenient point for electrical ground bonding.

Quite simply, those center-bored and threaded Carrier retaining screws 20 are used to support fixtures such as standard electrical outlets and the user's wallboards, as well as standard face plates which cover such outlets.

It thus is seen that the Carrier fixture support (i.e. center-board and threaded screws 22) cannot be properly read as applicant's claimed features of claim 1, (b):

b) a fixture support provided on the junction box, the fixture support having a first use position and a first non-use position;

Rather, the Carrier fixture support/center-bored and threaded screw 20 is always in its use position.

Further, it is respectfully submitted that, the Examiner's reasoning to the contrary, the Carrier retaining clips 22 may not properly be read as applicant's claimed fixture support movable about an axis extending transversely relative to the side wall, as set forth in claim 1, part (c), for example.

First, Carrier already sets forth fixture supports; i.e., screws 20, as set forth in detail above.

Second, the Carrier retaining clips 22 are for retaining the Carrier outlet box 10 in the wall in which it is mounted. Movement of Carrier retaining clips 22 has nothing to do with the claimed fixture support having a first use position and a first non-use position. That is because the Carrier fixture support/center-bored and threaded screw 20 is always in a use position, and movement of retaining clip 22 (regardless of how one interprets such movement of Carrier retaining clip 22), has nothing to do with whether or not the Carrier fixture support (i.e., screw 20) can be used for its intended purpose.

The patentability of claim 2 will be allowed to rest on its dependence from claim 1 at this time.

As to claim 3, claim 3 has been amended to force the Examiner to read claim 3 as intended. Needless to say, and for reasons analogous to those set forth above regarding claim 1, no matter how one reads Currier (i.e., whether one reads Currier clips 22 as fixture supports or whether one reads Currier center-bored and threaded screws 20 as fixture supports) neither interpretation of the Currier et al. disclosure can be properly read as teaching the features of amended claim 3.

The patentability of the other dependent claims will be allowed to rest on their dependence from claim 1, for brevity of discussion.

To overcome the rejection of claims 9-13 and 18-23, as being taught by U.S. Patent 5,854,443 to Reiker, independent claims 9, 10, and 18 have been amended to still further define thereover.

Accordingly, it is respectfully submitted that no further argument is required.

New allowable independent claims have been set forth along the lines of allowable subject matter indicated by Examiner Estrada.

New independent claim 37 includes the features of claims 1 and 5, without the features of claim 4, as filed.

New independent claim 40 includes features of claim 10 and 14.

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New claims 38, 39, and 41 are likewise submitted to be allowable owing to their dependence from allowable claims 37 and 40, respectively.

In summary, the application is submitted to be in condition for allowance with claim 1-15, 17-36, and 37-41.

Claims 1, 9, 10, 18, 24, 28, 32, 37, and 40 are in independent form.

Attached is a check in the amount of \$668.00; i.e., \$410.00/two month extension of time/Large Entity plus \$168.00 for 2 independent claims in excess of 3 @ \$84.00/claim/Large Entity plus \$90.00 for 5 claims greater than 20 not previously paid for @ \$18.00/claim/Large Entity.

It is believed that no additional fee is due for this submission. Should that determination be incorrect, however, the Examiner is hereby authorized to charge any deficiencies to our Deposit Account No. 19-2105, and notify the undersigned in due course.

Should any of the claims remain rejected, applicant specifically, respectfully requests that Examiner Estrada call Terrence L.B. Brown at (703) 684-5600 to arrange a telephone or personal interview.

Respectfully submitted,

Date:

May 19, 2003



Terrence L.B. Brown
Attorney for Applicant
Reg. No. 32,685

SHLESINGER, ARKWRIGHT & GARVEY LLP
3000 South Eads Street
Arlington, Virginia 22202
(703) 684-5600
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